

Chronology of Events, From the First Published Article...

Following is a chronology of events, reports and statements involving publication of newspaper articles based on the Pentagon's secret 1967-1968 study of the Vietnam war:

June 13—The New York Times published first installment of a scheduled five-part series on how the United States got involved in Vietnam, based on a 2.5-million word study commissioned by former Secretary of Defense Robert S. McNamara. Installment included 13 classified documents relating to events from late 1963 to Tonkin Gulf incident in 1964.

The Times reported that in 1964 "the U.S. had been mounting clandestine military attacks against North Vietnam and planning to obtain a congressional resolution as the equivalent of a declaration of war ... (and) these far-reaching events were not improvised in the heat of the Tonkin crisis." How and where the newspaper obtained the study was not disclosed.

June 14—Second Times article reported the Johnson Administration, before the 1964 presidential election, reached a "general consensus" to bomb North Vietnam early in 1965.

Justice Department asked the Times to return documents and stop publication of series, said articles would cause "irreparable injury to the defense interests of the U.S." The Times refused to comply.

Initial congressional reaction: Sen. Barry M. Goldwater (R Ariz.) said former President Johnson had lied to voters about Vietnam war plans during 1964 election; Sen. George McGovern (D S.D.) said Pentagon study told a story of "almost incredible deception" by government officials; Rep. Paul N. McCloskey Jr. (R Calif.) said "the issue of truthfulness in government is a problem as serious as ending the war itself."

Administration reaction: Secretary of Defense Melvin R. Laird said the disclosure violated the "security regulations of the U.S." White House said it was unfamiliar with the study, had just received a copy from Defense Department.

June 15—Third Times article reported that Johnson, on April 1, 1965, decided to commit U.S. ground troops to offensive action in South Vietnam, but ordered the decision kept secret.

U.S. District Judge Murray I. Gurfein issued a restraining order, requested by the Justice Department, halting publication of the Times articles until 1 p.m., June 19. Gurfein set a hearing for June 18 on government's request for a permanent injunction, refused to order the Times to return the documents and said the temporary harm done to the paper by the restraining order "is far outweighed by the irreparable harm that could be done to the interest of the U.S." Alexander Bickel, Chancellor Kent professor of law at Yale University, representing the Times, said it was the first time in U.S. history that a judge had prevented publication of all or part of a newspaper.

Senate Majority Leader Mike Mansfield (D Mont.) announced that a Senate committee would hold hear-

ings on the origins of the Vietnam war to "lay out the whole story before Congress and the American people." Secretary of State William P. Rogers said publication of the documents "causes a great deal of difficulty with foreign governments."

June 16—Justice Department requested permission to inspect Vietnam documents held by the Times. Judge Gurfein scheduled a hearing for June 17 to consider the request.

Sen. Hubert H. Humphrey (D Minn.) denied that the Johnson Administration had decided before the 1964 election to escalate the Vietnam war.

A Pentagon spokesman said Secretary Laird in 1969 refused a request from Senate Foreign Relations Committee Chairman J. W. Fulbright (D Ark.) for the study on Vietnam, told Fulbright documents were a "compilation of raw materials" on the war.

Sidney Zion, former Times reporter, said Daniel Ellsberg, a Pentagon study task force member, leaked the documents to the Times.

June 17—The Times gave the Justice Department list of secret Pentagon papers in its possession, refused to turn over documents. Judge Gurfein said he would not tolerate a "fishing expedition" into the newspaper's files.

FBI attempted but failed to interview Ellsberg, who had left his home in Cambridge, Mass. Rep. McCloskey said Ellsberg gave him copies of some Pentagon documents sometime after April 19.

Sixty-two House members appealed to Laird and Attorney General John N. Mitchell to declassify and release the Pentagon study.

Former Secretary of State Dean Rusk said he never saw a copy of the report and knew nothing about it.

Sen. Edward M. Kennedy (D Mass.) called for disclosure of the Pentagon study relevant to the years his brother was President.

Ed Van Dyk, former Humphrey aide, said that during 1965, Humphrey, then Vice President, was "systematically excluded" from Vietnam policy talks.

June 18—The Washington Post published the first in a series of articles based on the Pentagon papers, reporting that the Eisenhower Administration, "fearful that elections throughout North and South Vietnam would bring victory to Ho Chi Minh, fought hard but in vain at the 1954 Geneva Conference to reduce the possibility that the conference would call for such elections."

The Post refused voluntarily to halt publication of additional articles, as requested by Justice Department. U.S. District Judge Gerhard A. Gesell refused Department's request for a temporary restraining order against the Post series, also refused to stay his ruling pending the government's appeal to U.S. Court of Appeals, District of Columbia.

In New York, Judge Gurfein opened hearing on the Times' case, refused to allow 27 House members to enter the case against the Justice Department's request for a permanent injunction.

...to Nixon Pledge to Give Congress the Documents

Herbert G. Klein, White House director of communications, said the President's principal concern in the publication dispute was to discourage officials opposed to the Vietnam war from giving classified documents to the press in the future.

Sen. Edmund S. Muskie (D Maine) told CBS Congress should investigate the origin of the war, if necessary summon former President Johnson.

June 19—The Post published second article based on Pentagon documents, reporting "Johnson Administration strategists had almost no expectation that the many pauses in the bombing of North Vietnam between 1965 and 1968 would produce peace talks, but believed they would help placate domestic and world opinion."

U.S. Court of Appeals, District of Columbia, in a 2-1 decision, temporarily restrained the Post from continuing its series, ruled the articles might jeopardize national security. U.S. District Judge Gesell scheduled a hearing for June 21 on the Justice Department's request for an injunction to stop continuation of series.

In New York, Judge Gurfein refused to enjoin the Times from publishing additional Pentagon study articles, but 2nd U.S. circuit Court of Appeals Judge Irving R. Kaufman immediately issued a restraining order, at Justice Department request, to allow the government to appeal Judge Gurfein's decision. (Gurfein ruled the government failed to show publication of documents would harm the national interest enough to justify "prior restraint.")

Ronald L. Ziegler, White House press secretary, said one reason for U.S. legal action against the Times and the Post was the belief that the U.S. "cannot operate its foreign policy in the best interests of the American people if it cannot deal with foreign powers in a confidential way."

Republican National Chairman Sen. Robert Dole (Kan.) said disclosures of secret documents clearly show Democratic policy makers guilty of "eight years of deception and escalation." Democratic National Chairman Lawrence F. O'Brien called the attack "very reminiscent of another Republican Senator in the early 1950s—Sen. Joe McCarthy of Wisconsin."

June 20—*Newsweek* magazine, quoting those in Austin, Texas, privy to his feelings, said former President Johnson sees "the ghostly hand of Robert Kennedy" on the Pentagon papers. *Newsweek* said the New York Senator needed an issue for his intended 1968 challenge against Johnson and "pinned his hopes on Vietnam." The article said Johnson believes circumstances surrounding document leak to the Times "comes close to treason." *Time* magazine, which noted that it gave no source for Johnson's views, said the former President feels the documents "do not tell the true story because they are mostly contingency plans."

June 21—2nd U.S. circuit Court of Appeals postponed hearing on Justice Department appeal of Judge Gurfein's June 20 decision to allow full seven-judge court hearing on the case, continued restraining order against the Times.

In Washington, Judge Gesell, after a day-long hearing held mainly in secret, rejected the Justice Department's request for an injunction against the Post articles, but afterwards, the nine-member U.S. Court of Appeals extended for 24 hours its temporary ban on publication to allow an appeal. (Pentagon official Dennis J. Doolin told Gesell that some material in the Pentagon study concerned "current operations planned" in Vietnam.)

Twelve House members led by Bella S. Abzug (D N.Y.) filed a "resolution of inquiry" to obtain copies of the Pentagon study from the executive branch. (*Box*, p. 1356)

June 22—The *Boston Globe* began a series on the Pentagon papers. "As early as May 1961," the story said, "President Kennedy had approved covert actions against communist forces in Indochina, including the dispatch of agents into the North and infiltration of special forces into Laos." The *Globe* rejected a Justice Department request voluntarily to halt publication of the articles. U.S. District Court Judge Anthony Julian issued a temporary restraining order against the publication of additional articles.

Defense Secretary Laird said the Times and the Post had based their "Vietnam archives" articles on a working draft on the study, not on the complete and final version. Laird said he had ordered a speed-up in declassification of the report which could be made public in 90 days.

In Washington, the U.S. Court of Appeals extended indefinitely its ban on the Post's publication of Pentagon study articles until it could rule on the government's claim that articles threatened national security.

In New York, 2nd U.S. circuit Court of Appeals extended temporary restraining order against the Times' series pending a final decision promised "in the next few days."

June 23—The *Chicago Sun-Times* reported in an article based in part on the Pentagon study and top secret State Department documents that Kennedy Administration officials had intimate advance knowledge of the 1963 coup against South Vietnamese President Diem.

In New York, 2nd U.S. circuit Court of Appeals ordered Judge Gurfein to hold further secret hearings on the Times case, extended the stay on publication until at least June 25; Times to appeal to Supreme Court.

In Washington, U.S. Court of Appeals, in a 7-2 decision, upheld the June 21 ruling by Judge Gesell that the government had failed to prove Post articles would endanger the national security, but the court extended a restraining order against the Post articles to give the government time for an appeal to the Supreme Court.

President Nixon announced that he would make the full 47 volumes of documents available to Congress "on the understanding that they will be subject to existing congressional rules and regulations covering the handling of classified material."

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Chronology June 23-30

Following is a chronology of events (June 23-30) involving newspaper publication of the Pentagon's secret 1967-1968 study of the Vietnam war.

June 23—(Continued from Weekly Report p. 1352)—*The Los Angeles Times* reported that President Kennedy's National Security Council, advised for first time that United States faced a can't-win situation in Vietnam, in August 1963 "rejected the recommendation of a State Department expert to pull out honorably."

Eleven Knight newspapers reported Secretary of Defense Robert S. McNamara became discouraged with ground war and suggested a coalition government in South Vietnam in early 1967.

Daniel Ellsberg (who June 28 said he gave the Pentagon documents to *The New York Times*), in televised CBS interview with Walter Cronkite at secret location (disclosed June 29 as Cambridge, Mass.), said publication of the study was important because "the threat of escalation (in Vietnam) and the practice of escalation was once again U.S. policy."

June 24—Justice Department petitioned Supreme Court to prevent *The Washington Post* from publishing articles based on Pentagon papers; appeal came after U.S. Court of Appeals, District of Columbia, refused government's request for a second hearing.

Times asked Supreme Court to review June 23 ruling by 2nd U.S. Circuit Court of Appeals restraining publication.

Justice Department announced it would take no action against *Los Angeles Times* or Knight newspapers. Attorney General John N. Mitchell said their June 23 articles either were not based on classified documents or were written so as not to reveal any secret information.

Newsday printed highlights from former President Johnson's memoirs (to be published in November) indicating his Administration was privately preparing in early 1964 for large-scale American military involvement in Vietnam.

The Baltimore Sun reported that after 1964 elections, President Johnson "remained uncommitted and skeptical" about whether to bomb North Vietnam, revealed these feelings to Gen. Maxwell D. Taylor Dec. 30, 1964.

Lynda R. Sinay testified before Los Angeles federal grand jury that Ellsberg used a copying machine to reproduce about 3,000 pages of documents in late 1969.

June 25—Supreme Court in 5-4 decision continued "limited" restraint on Times' and Post's publication of Pentagon Vietnam war articles, pending final outcome of case. Court gave government until 5 p.m. to identify certain documents which the newspapers would be forbidden to print, and set a hearing on the case for 11 a.m. June 26.

Warrant issued for arrest of Ellsberg on charges he had unauthorized possession of top secret documents.

Post and Times decided to defer publication of articles based on Vietnam study after government submitted list of sensitive documents, in compliance with Supreme Court directive.

The St. Louis Post-Dispatch reported that "former Defense Secretary Robert S. McNamara told President Johnson privately in 1966 that military escalation in North and South Vietnam was not having desired effect and reported he saw 'no reasonable way to bring the war to an end soon.'"

June 26—Supreme Court heard arguments for and against publication of more secret material but made no announcement after deliberating until 6 p.m.; refused government request to hold portion of oral hearing in secret.

Post-Dispatch prohibited from publishing second article by temporary restraining order issued by U.S. District Court Judge James H. Meredith.

The Chicago Sun-Times reported that Nixon Administration "was told by the Central Intelligence Agency in 1969 that it could immediately withdraw from Vietnam and 'all of Southeast Asia would remain just as it is at least for another generation.'"

Vice President Agnew said in Phoenix, Ariz., that newsmen who reveal government secrets are "the same people who are firmly controlling American opinion through a biased and slanted" view of world.

Ellsberg's lawyers said he would surrender in Boston June 28.

Seven members of House Government Operations Committee, conducting study of government information policies, asked Secretary of Defense Melvin R. Laird to deliver copy of documents to committee by June 30.

House Armed Services Committee by 25-2 vote rejected Rep. Bella Abzug's resolution of inquiry introduced June 21 requesting Pentagon documents.

June 27—George W. Ball, Under Secretary of State during the Kennedy and Johnson Administrations and identified in the Pentagon papers as the chief opponent of Vietnam policy under Johnson, said that Johnson was "deeply troubled" by escalation of the Vietnam war and was "grateful" for advice recommending a different course of action.

The Christian Science Monitor published excerpts from the Pentagon papers, reporting that for 21 months in 1962-1964 the United States "laid plans to pull almost all American troops out of Vietnam over a five-year period."

Walt W. Rostow, former adviser to President Johnson, said the former President "did not deceive the people."

June 28—Supreme Court did not announce a decision on the Times and Post cases as expected, extended its term.

Ellsberg surrendered in Boston, said he had "delivered the Pentagon papers to the Senate Foreign Relations Committee and to the people through the American press." (In Washington, Sen. J. W. Fulbright, committee chairman, said Ellsberg gave him one-third to one-half the Vietnam war study more than a year previously.)

In Los Angeles, federal grand jury indicted Ellsberg on charges of violating the Espionage Act and of government property theft.

Two copies of the secret Pentagon study of Indo-China war were sent to Congress, one to Senate, the other to House; only members of Congress permitted to read documents.

Holt, Rinehart and Winston, Inc., publisher with rights to President Johnson's memoirs, said it would sue *Newsday* for printing excerpts.

June 29—At 9:45 p.m. Sen. Mike Gravel (D Alaska) began reading aloud summaries and narratives from the Pentagon papers at subcommittee hearing he called after failing to keep Senate in session.

Supreme Court officials indicated decision on publication of Vietnam documents could be issued by week's end.

Justice Department asked *Christian Science Monitor* to halt publication of series based on Pentagon documents; newspaper refused, but told department subject of second installment.

June 30—Supreme Court by 6-3 decision upheld Post and Times publication of Pentagon report, Chief Justice Warren E. Burger and Associate Justices Harry A. Blackmun, John Marshall Harlan dissented.

New York Times, resuming series in its July 1 edition, reported President Kennedy transformed the "limited-risk gamble" of the Eisenhower Administration into a "broad commitment" to prevent communist domination of South Vietnam. Also reported Kennedy "knew and approved plans for the military coup d'etat that overthrew President Ngo Dinh Diem in 1963."

Washington Post in its July 1 edition carried three installments of its Vietnam series, reporting Kennedy and Johnson Administrations feared "pro-French" factions in Saigon seeking a "neutralist" peace, Joint Chiefs of Staff in 1962 urged Kennedy to undertake combat role in Vietnam and the United States supported coup against Diem.

Pentagon announced enough copies of Vietnam study would be printed for every member of House and Senate.

Federal district judges lifted restraining orders against *Boston Globe* and *St. Louis Post-Dispatch* Vietnam articles; Post-Dispatch continued articles in June 30 edition.

Senate Majority Leader Mike Mansfield (D Mont.) said Gravel would not be censured or made to apologize for his reading of Vietnam documents late June 29.

President Nixon, Attorney General John N. Mitchell issued no statements after Supreme Court decision. White House Press Secretary Ronald L. Ziegler said, "The President's view on the 1st Amendment is well known."

Document Index

Following is a list of documents from the Pentagon Vietnam war study published June 22-25 by newspapers in Boston, Chicago and St. Louis and July 1 by *The New York Times*. References are to the *Congressional Record*. (Index of documents published June 13-15 by *The New York Times*, *Weekly Report* p. 1344)

The Boston Globe, June 22

October 1961—Three cablegrams from Taylor to Kennedy on question of introducing U.S. military forces into Vietnam: *Record* 6/24, p. S 9913.

Feb. 27, 1968—Excerpts from report by Wheeler summarizing his findings of visit to South Vietnam immediately after Tet Offensive in 1968: *Record* 6/24, p. S 9914.

The Chicago Sun-Times, June 23

Aug. 30, 1963—Memo from Hilsman to Rusk, recommending the U.S. encourage and assist a coup against Diem: *Record* 6/29, p. S 10240.

Sept. 16, 1963—Memo from Hilsman to Rusk recommending that the U.S. pressure Diem to remove his brother-in-law Ngo Dinh Nhu from power: *Record* 6/29, p. S 10241.

Key to Names

(Previous key, *Weekly Report* p. 1344)

Diem, Ngo Dinh, President of South Vietnam.

Hilsman, Roger, Assistant Secretary of State.

Wheeler, Earle G., chairman, Joint Chiefs of Staff.

The St. Louis Post-Dispatch, June 25

Oct. 14, 1966—Memo from McNamara to Johnson evaluating Vietnam war and recommending courses of action: *Record* 6/29, p. S 10251.

The New York Times, July 1

July 4, 1963—Hilsman memo on White House meeting regarding Diem regime.

July 10, 1963—Intelligence estimate of South Vietnam unrest.

Aug. 24, 1963—Cable from State Department to Lodge on need to remove Diem's brother-in-law Ngo Dinh Nhu.

Aug. 25, 1963—Reply from Lodge to Rusk and Hilsman on removal of Nhu.

Aug. 26, 1963—Cable from CIA aide to McCone on contact with Saigon generals.

Aug. 29, 1963—Cable from Lodge to Rusk on U.S. policy toward a coup.

Aug. 29, 1963—Cable from Rusk to Lodge on National Security Council views.

Aug. 29, 1963—Rusk cable to Lodge on Diem-Nhu relationship.

Aug. 30, 1963—Cable from Lodge to Rusk on Diem's closeness to brother.

Aug. 31, 1963—Cable from U.S. general in Saigon to Gen. Taylor on end of August plot.

Aug. 31, 1963—Memo on State Department meeting in aftermath of August plot.

Sept. 17, 1963—White House cable to Lodge on pressure for Saigon reforms.

Sept. 19, 1963—Lodge cable to Kennedy on means of bringing reforms.

Oct. 2, 1963—McNamara-Taylor report on mission to South Vietnam.

Oct. 5, 1963—Lodge cable on meeting of CIA agent with South Vietnam general regarding three possible plans for accomplishing change of government.

Oct. 5, 1963—Cable from Lodge to Rusk.

Oct. 5, 1963—Kennedy position on coup plots.

Oct. 6, 1963—Cable from White House to Lodge on attitude toward a coup.

Oct. 25, 1963—Lodge message to McGeorge Bundy on dealings with generals (South Vietnamese).

Oct. 25, 1963—Cable from McGeorge Bundy to Lodge on coup hazards.

Oct. 30, 1963—Message from U.S. general to Taylor expressing doubts on plot.

Oct. 30, 1963—Additional comments relating to above message.

Oct. 30, 1963—McGeorge Bundy cable to Lodge voicing White House concern regarding coup.

Oct. 30, 1963—Cable from Lodge to McGeorge Bundy on letting coup plan proceed.

Oct. 30, 1963—McGeorge Bundy cable to Lodge on contingency plans.

Nov. 1, 1963—Lodge's last talk with Diem.

Nov. 26, 1963—Order by Johnson reaffirming Kennedy's position on Vietnam.

Pentagon Papers leaked
NY Times on
June 13, 1971, ~~was~~
a Sunday

Chronology - Pentagon
Papers leak.